

SUMMARY OF PERTINENT EVENTS

December, 2007

- DEA agents begin intercepting communications on telephone used by “Fanta.”
- Calls intercepted on December 23 and 24 showed Fanta speaking to his supplier, UM1, (unidentified male #1) and discussing drug deliveries to “Temo” and “Jorge.”
- Calls intercepted on December 24 showed Fanta speaking to UM1, and UM1 telling Fanta to call **PRIMITIVO** for a drug delivery, and gave Fanta **PRIMITIVO**’s number.
- Fanta then called **PRIMITIVO**’s number, asked how many **PRIMITIVO** wanted, and **PRIMITIVO** replied “seven.”
- Fanta talks to UM1 and confirms that **PRIMITIVO** will actually need to take nine because that is how they are packaged in Mexico.

February 23, 2008

- DEA agents begin interception of **PRIMITIVO**’s telephone.
- **PRIMITIVO** talks to “Mendoza” about the delivery of drugs, and that **PRIMITIVO** is waiting
- **PRIMITIVO** talks to UM10, which is a Mexico number, and discusses that he will take “eleven” from Mendoza.
- **PRIMITIVO** talks to “Mendoza” and gives him directions to **PRIMITIVO**’s house.
- Based on the directions, agents are able to identify the house as 19480 SE 266th Street, Covington, Washington, later determined to be the residence of the defendant **JOSE NUNEZ-MALDONADO**.

March 4, 2008

- **PRIMITIVO** talks to UM10 about receiving ten, but UM10 tells **PRIMITIVO** that he is sending fifteen that is “pure honey” and **PRIMITIVO** should take a look at it. **PRIMITIVO** tells UM10 that if it is as good as UM10 claims, then it would be beneficial to take all of it.
- During a subsequent call, **PRIMITIVO** tells UM10 that he will be able to collect enough money for ten or eleven.

March 5, 2008

- Mendoza tells **PRIMITIVO** that he is 200 or 250 miles from Portland.
- Surveillance at **PRIMITIVO**’s house observes **PRIMITIVO** move a vehicle to the street so there is access to the garage.
- Surveillance observes Mendoza driving a Passat arrive at **PRIMITIVO**’s house, and park in garage
- Passat leaves **PRIMITIVO**’s house, and is followed to a Days Inn hotel in Fife, surveillance watches vehicle all night.

March 6, 2008

- Mendoza driving Passat leaves Days Inn heading south on I-5, and stopped by Washington State Patrol. Driver identified as Arcado Mendoza-Bautista from California driver's license. Dog alerts to odor of narcotics on Mendoza's wallet which is inside the vehicle.
- WSP tells Mendoza vehicle must be impounded because his license is suspended. Search warrant for vehicle finds \$257,420 in concealed compartment in back seat.
- **PRIMITIVO** talks to UM5 and arranges to meet, agents observe meeting consistent with drug transaction, **PRIMITIVO** engages in evasive driving measures following meeting.

March 17, 2008

- **PRIMITIVO** speaks to UM10 about only having four days of "work" left. UM10 tells **PRIMITIVO** to plan for Mendoza to arrive.

March 27, 2008

- Agents observe **PRIMITIVO** meet with a woman in a manner consistent with a drug deal. Agents stop woman, drug dog alerts on her car, search warrant for vehicle, agents recover 1/2 pound of methamphetamine from her vehicle.
- Woman identifies **PRIMITIVO** from a series of photographs as the person that sold her the drugs, and she agrees to cooperate with law enforcement (woman hereinafter referred to as CS1).
- CS1 states this is her fourth purchase from **PRIMITIVO** in the last 2-3 weeks, and that **PRIMITIVO** charges her \$800 per ounce of methamphetamine.
- CS1 calls **PRIMITIVO** and arranges to meet him the next day to pay for the drugs he delivered her today, and to get more drugs.

March 28, 2008

- CS1 meets with **PRIMITIVO**, gives **PRIMITIVO** \$6400, and **PRIMITIVO** gives CS1 1/4 pound of methamphetamine.
- Agents arrest **PRIMITIVO**, serve search warrant at his house, recover \$266,860 and three firearms.

SUMMARY OF POTENTIAL DRUG QUANTITY

- Total drug proceeds recovered = \$524,380.
- **PRIMITIVO** sells drugs for \$800/ounce resulting in the drug proceeds recovered equaling the sale of 655 ounces of methamphetamine (\$524,380/\$800).
- 655 ounces equals **18.6 kilograms of methamphetamine** (28.5 grams per ounce multiplied by 655 ounces).